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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/803,424	03/08/2001	William Westfield	CISCP546	4828

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RITTER, LANG & KAPLAN
12930 SARATOGA AE. SUITE D1
SARATOGA, CA 95070

EXAMINER

LY, NGHI H

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 07/12/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/803,424

Applicant(s)

WESTFIELD, WILLIAM

Examiner

Nghi H. Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14-26 and 29-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 14, 25, 26, 35 and 36 is/are allowed.
- 6) ☒ Claim(s) 15-24, 29-34, 37 and 38 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15-18, 20, 21 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rune (US 6,212,390) in view of Chang et al (US 6,487,406).

Regarding claims 15, 21, 29, 30 and 32, Rune teaches in an IP-based cellular wireless communication system (see column 1, lines 34-45, column 1, lines 65 to column 2, line 9 and Abstract), a method of operating a quiet zone controller (see Abstract and Title) comprising: detecting a cellular phone device entering an area (see column 8, lines 31-46 and column 8, lines 50-51), the cellular phone device being serviced by a service provider control point (column 8, lines 5-63, see "GRAN"), and sending a message to the service provider control point (see column 8, lines 5-6), the message being sent to the service provider control point through a radio access network (see column 8, lines 5-6), the message including an identifier associated with the

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cellular phone device (see column 8, lines 5-6, In order to register, the registration request of Rune inherently includes *an identifier associated with the cellular phone device*).

Rune does not specifically disclose sending an IP message to the service provider control point, the IP message being sent to the service provider control point through a radio access network, the IP message including an identifier associated with the cellular phone device.

Chang teaches sending an IP message to the service provider control point (see column 7, lines 65 to column 8, line 4), the IP message being sent to the service provider control point through a radio access network (also see column 7, lines 65 to column 8, line 4), the IP message including an identifier associated with the cellular phone device (see column 7, line 65 to column 8, line 4, In order to register, the registration message of Chang inherently includes *an identifier associated with the cellular phone device*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Chang into the system of Rune in order to supply a protocol and system which provide seamless IP mobility across multiple PCS and IP networks while permitting any PCS air interface technology to be used (see Chang, column 2, lines 20-24).

Regarding claim 16, Rune further teaches monitoring the cellular phone device, determining when the cellular phone device has left the area, sending a second IP

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message to a service provider control point that includes information that the cellular phone device has left the area (see column 9, lines 5-15 and column 9, lines 46-56).

Regarding claim 17, Rune further teaches a method further comprising locally maintaining a list of cellular phone devices in the area (column 8, lines 5-10).

Regarding claim 18, Rune further teaches causing an IP message to be sent to the cellular phone device that includes notification that the cellular phone devices has entered a quiet zone (see column 8, lines 54-63 and see column 10, lines 23-30).

Regarding claim 20, Rune further teaches detecting whether the cellular phone device is in a quiet zone includes steps of: requesting base stations to page the cellular phone device; receiving an acknowledgement from one of the base stations; if a message is received that indicates the cellular phone device is in a quiet zone, processing the call as a quiet zone call, and if a preset period of time passes without receiving the message, processing the call as a standard call (see column 8, lines 5-63).

Regarding claim 31, Rune further teaches the computer readable medium is a CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, or data signal embodied in a carrier wave (column 7, lines 58-65, see "store", the teaching of Rune inherently teaches the computer readable medium is a CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, or data signal embodied in a carrier wave).

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4. Claims 23, 24, 33, 34, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rune (US 6,212,390) in view of Chang et al (US 6,487,406) and further in view of Beamish et al (US 6,694,143).

Regarding claims 23 and 33, the combination of Rune and Chang teaches a cellular phone device as in claim 21. The combination of Rune and Chang does not specifically disclose the phone goes into a quiet mode in response to the configurable hushing message, the quiet mode including the volume on a ringer being turned off.

Beamish teaches the phone goes into a quiet mode in response to the configurable hushing message, the quiet mode including the volume on a ringer being turned off (see Beamish, column 2, lines 9-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Beamish into the system of Rune and Chang so that interference with other devices can be prevented.

Regarding claim 24, the combination of Rune, Chang and Beamish further teaches the phone goes into a non-transmit mode in response to the configurable hushing message, the quiet mode including a transmitter of the phone being kept off (see Beamish, column 2, lines 9-41).

Claims 34 and 37, Beamish further t the combination of Rune, Chang and Beamish further teaches the cellular phone device includes a transmitter (see Beamish, column 2, lines 25-28, the cell phone of Beamish inherently includes a transmitter), and the configurable hushing message is configurable to cause the cellular phone device to turn off only the transmitter (see Beamish, column 2, lines 9-41).

Claim 38, Beamish further t the combination of Rune, Chang and Beamish further teaches entering the hush mode includes one of causing the cellular phone to vibrate and turning off a transmitter of the cellular phone (see Beamish, column 2, lines 26-41).

5. Claims 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rune (US 6,212,390) in view of Chang et al (US 6,487,406) and further in view of Hsu et al (US 6,587,684).

Regarding claims 19 and 22, the combination of Rune and Chang teaches a method as in claims 18 and 21. The combination of Rune and Chang does not specifically disclose the IP message sent to the cellular phone device comprises an HTTP web page.

Hsu teaches the IP message sent to the cellular phone device comprises an HTTP web page (see column 6, lines 48-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Hsu into the system of Rune and Chang in order to provide communication between web server and client browser.

Allowable Subject Matter

6. Claims 1-11, 14, 25, 26, 35 and 36 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 1, 11, 25, 35 and 26, Rune teaches in an IP-based cellular wireless communication system (see column 1, line 32 to column 2, line 4), a method of spatially controlling cellular phone access (see Abstract and Title), the method comprising: receiving a message at a central facility (see column 8, lines 5-6), the message being relayed through a radio access network (see column 8, lines 5-63).

Chang teaches an IP message including an identifier associated with the cellular phone device (see column 7, line 65 to column 8, line 4).

Rune and Chang, alone or in combination fails to teach the IP message including information about whether a cellular phone device is in an area of restricted service access and updating data associated with the cellular phone device in response to receiving the IP message at the central facility.

Response to Arguments

6. Applicant's arguments with respect to claims 15-24, 29-34, 37 and 38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (703) 605-5164. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone


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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

Udco
07/21/24


CHARLES APPIAH
PRIMARY EXAMINER